

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Reissue Application of: Jens Ole Bröchner Andersen

Confirmation No.: 6603

Application No.: 10/804,238

Group Art Unit: 3765

Filing Date: March 19, 2004

Examiner: A. Vanatta

For: PLANT FOR PRODUCING A FIBRE WEB
OF PLASTIC AND CELLULOSE FIBRES

Attorney Docket No.: 81421-4035

RESPONSE TO ORDER TO SHOW CAUSE

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
Attn: Office of Patent Legal Administration

Sir:

In response to the Order to Show Cause dated August 15, 2010, Applicant notes that the payment of the 7.5 year maintenance fee for the patent for which the above-identified application seeks reissue was delayed unintentionally. Accordingly, on September 14, 2010, the patentee submitted a petition for acceptance of delayed payment of the 7.5 year maintenance fee. A copy is enclosed. Accordingly, it is believed that the patent will be reinstated. In view of this, Applicant submits that the prosecution of the present reissue patent application should not be terminated and should continue after the patent is reinstated.

No fee is believed to be due for this submission. Should any fees be required, please charge such fees to **Winston & Strawn LLP** Deposit Account No. 50-1814.

Respectfully submitted,



Allan A. Fanucci, Reg. No. 30,256

Date: September 14, 2010

WINSTON & STRAWN LLP
Customer No. 28765
212-294-3311

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

US Patent 6,375,773 of: Jens Ole Bröchner ANDERSEN

Issued: April 22, 2002

Application No.: 09/529,362

Filing Date: October 12, 1998

For: PLANT FOR PRODUCING A FIBRE WEB OF
PLASTIC AND CELLULOSE FIBRES

Attorney Docket No.: 81421-4035

**PETITION TO ACCEPT UNINTENTIONALLY DELAYED PAYMENT OF
MAINTENANCE FEE IN EXPIRED PATENT (37 C.F.R. 1.378 (c))**

Mail Stop: Petitions
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

The above-identified patent resulted from entry into the US under 35 USC 371 in international application PCT/DK98/00443 filed April 12, 2000.

Patentee is not entitled to claim small entity status. The maintenance fee is believed to be \$2,480.00 for the 7.5 year maintenance fee (code 2552).

The surcharge required by 37 CFR 1.20(i)(2) is believed to be \$1,640.00.

The required fees, estimated to total \$4,120.00, is to be charged to the deposit account of Patentee's attorneys.

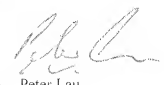
The delay in payment of the maintenance fee to this patent was unintentional.

Respectfully submitted,

Oerlikon Textile GmbH & Co.KG

By: 

Name: Ulrich Wunder
Title: General Counsel


Peter Lau
Senior IP Counsel

Date: September 13, 2010

**PETITION TO ACCEPT UNINTENTIONALLY DELAYED PAYMENT OF
MAINTENANCE FEE IN AN EXPIRED PATENT (37 CFR 1.378 (c))**

Docket Number (Optional)

81421-4035

Mail to: Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Fax: (571) 273-8300

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.

Patent No. 6,375,773 Application Number 09/529,362

Issue Date April 23, 2002 Filing Date April 12, 2000

CAUTION: Maintenance fee (and surcharge, if any) payment must correctly identify: (1) the patent number (or reissue patent number, if a reissue) and (2) the application number of the actual U.S. application (or reissue application) leading to issuance of that patent to ensure the fee(s) is/are associated with the correct patent. 37 CFR 1.366(c) and (d).

Also complete the following information, if applicable

The above – identified patent

☐

Is a reissue of original Patent No. _____ original issue date _____

original application number _____

original filing date _____



resulted from the entry into the U.S. under 35 U.S.C. 371 of international application PCT/DK98/00443

filed on October 12, 1998

CERTIFICATE OF MAILING (37 CFR 1.89(a))

I hereby certify that this paper ("along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Date

Signature

Typed or Printed Name of Person Signing Certificate

[page 1 of 3]

This collection of information is required by 37 CFR 1.378(c). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

1. SMALL ENTITY

☐ Patentee claims, or has previously claimed, small entity status. See 37 CFR 1.27.

2. LOSS OF ENTITLEMENT TO SMALL ENTITY STATUS

☒ Patentee is no longer entitled to small entity status. See 37 CFR 1.27(g)

3. MAINTENANCE FEE (37 CFR 1.20(e)-(g))

The appropriate maintenance fee must be submitted with this petition, unless it was paid earlier.

NOT Small Entity			Small Entity		
Amount	Fee	(Code)	Amount	Fee	(Code)
<input type="checkbox"/> \$ _____	3 ½ yr fee	(1551)	<input type="checkbox"/> \$ _____	3 ½ yr fee	(2551)
<input checked="" type="checkbox"/> \$ 2480.00	7 ½ yr fee	(1552)	<input type="checkbox"/> \$ _____	7 ½ yr fee	(2552)
<input type="checkbox"/> \$ _____	11 ½ yr fee	(1553)	<input type="checkbox"/> \$ _____	11 ½ yr fee	(2553)

MAINTENANCE FEE BEING SUBMITTED \$ 2480.00

4. SURCHARGE

The surcharge required by 37 CFR 1.20(i)(2) of \$ 1,640.00 (Fee Code 1558) must be paid as a condition of accepting unintentionally delayed payment of a maintenance fee.

SURCHARGE FEE BEING SUBMITTED \$ 1640.00

5. MANNER OF PAYMENT

☐ Enclosed is a check for the sum of \$ _____

☒ Please charge Deposit Account No. 50-1814 the sum of \$ 4,120.00

☐ Payment by credit card. Form PTO-2038 is attached.

6. AUTHORIZATION TO CHARGE ANY FEE DEFICIENCY

☒ The Director is hereby authorized to charge any maintenance fee, surcharge or petition deficiency to Deposit Account No. 50-1814

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

7. OVERPAYMENT

As to any overpayment made please

- OR ☒ Credit to Deposit Account No. 50-1814
- ☐ Send refund check

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

8. STATEMENT

The delay in payment of the maintenance fee to this patent was unintentional.

9. PETITIONER(S) REQUEST THAT THE DELAYED PAYMENT OF THE MAINTENANCE FEE BE ACCEPTED AND THE PATENT REINSTATED

Alan A. Fanucci
Signature(s) of Petitioner(s)

September 14, 2010
Date

Alan A. Fanucci
Typed or printed name(s)

30,256
Registration Number, if applicable

212-294-3311
Telephone Number

Winston & Strawn LLP, 200 Park Avenue, New York, NY 10166
Address

Address
Address

37 CFR 1.378(d) states: "Any petition under this section must be signed by an attorney or agent registered to practice before the Patent and Trademark Office, or by the patentee, the assignee, or other party in interest."

ENCLOSURES

- ☐ Maintenance Fee Payment
- ☐ Surcharge under 37 CFR 1.20(i)(2) (fee for filing the maintenance fee petition)
- ☐